



7 June 2023

Grahame Kelly
Divisional General Secretary
Construction, Forestry, Maritime, Mining and Energy Union - Mining and Energy Division

Sent via email: gkelly@meu.org.au
CC: fvella@meu.org.au; mm@daley.com.au

Dear Grahame Kelly

**Construction, Forestry, Maritime, Mining and Energy Union - Mining and Energy Division
Financial Report for the year ended 31 December 2022 – (FR2022/275)**

I acknowledge receipt of the financial report for the year ended 31 December 2022 for the Construction, Forestry, Maritime, Mining and Energy Union - Mining and Energy Division. The documents were lodged with the Fair Work Commission (the Commission) on 6 June 2023.

The financial report has now been filed. You are not required to take any further action in respect of the report lodged.

The financial report was filed based on a primary review. This involved confirming that the financial reporting timelines required under s.253, s.265, s.266 and s.268 of the *Fair Work (Registered Organisations) Act 2009* (RO Act) have been satisfied, all documents required under s.268 of the RO Act were lodged and that various disclosure requirements under the Australian Accounting Standards, RO Act and reporting guidelines have been complied with. A primary review does not examine all disclosure requirements.

Please note that next year's financial report may be subject to an advanced compliance review.

Reporting Requirements

The Commission's website provides a number of factsheets in relation to the financial reporting process and associated timelines. The website also contains the section 253 reporting guidelines and a model set of financial statements.

The Commission recommends that reporting units use these model financial statements to assist in complying with the RO Act, the section 253 reporting guidelines and Australian Accounting Standards. Access to this information is available via [this link](#).

If you have any queries regarding this letter, please contact me on (03) 8650 0181 or by email at Madeleine.Hurrell@fwc.gov.au.

Yours sincerely

Madeleine Hurrell

Madeleine Hurrell
Financial Reporting Officer
Fair Work Commission - Registered Organisations Governance & Advice Branch

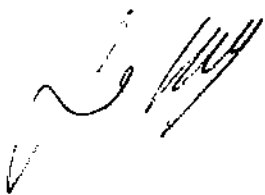
**CONSTRUCTION, FORESTRY, MARITIME, MINING & ENERGY UNION
MINING & ENERGY DIVISION**

DESIGNATED OFFICER CERTIFICATE

Certificate for the period ended 31 December 2022

I, Grahame Kelly, being the General Secretary of the Mining and Energy Division of the Construction, Forestry, Maritime, Mining and Energy Union, certify:

- That the documents lodged herewith are copies of the full report for the Mining and Energy Division of the Construction, Forestry, Maritime, Mining and Energy Union, for the period ended 31 December 2022, referred to in s.268 the Fair Work (Registered Organisations) Act 2009; and
- That the full report, was provided to members of the reporting unit on 4 April 2023, after adoption of the accounts by the Central Council; and
- That the full report was supplied to members through the union website, and circulation at work sites. A series of meetings were held by members of the Mining and Energy Division of the Construction, Forestry, Maritime, Mining and Energy Union, the last meeting being on 26 May 2023; in accordance with section 266 of the Fair Work (Registered Organisations) Act 2009.



**Grahame Kelly
General Secretary**

6 June 2023

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Consolidated Financial Statements

For the Year Ended 31 December 2022

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

For the Year Ended 31 December 2022

Financial Statements

Contents	Page
Operating Report	1
Committee of Management Statement	4
Consolidated Statement of Profit or Loss and Other Comprehensive Income	5
Consolidated Balance Sheet	6
Consolidated Statement of Changes in Equity	8
Consolidated Statement of Cash Flows	9
Notes to the Financial Statements	10
Report Required Under Subsection 255(2A)	50
Officer Declaration Statement	51
Independent Audit Report	53

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Operating Report

For the Year Ended 31 December 2022

The Committee of Management presents its operating report on the reporting unit, for the financial year ended 31 December 2022.

Names of committee of management members and period positions held during the financial year

The names of each person who has been on the Committee of Management during the year are:

Name	Position	Period of Appointment
Mr A Maher	General President	1/1/2022 - 31/12/2022
Mr G Kelly	General Secretary	1/1/2022 - 31/12/2022
Mr M Dobie	Central Councillor	1/1/2022 - 31/12/2022
Mr S Smyth	Central Councillor	1/1/2022 - 31/12/2022
Mr P Jordan	Central Councillor	1/1/2022 - 31/1/2022
Mr Robin Williams	Central Councillor	1/2/2022 - 31/12/2022
Mr M Schofield	Central Councillor	1/1/2022 - 31/12/2022
Mr P Compton	Central Councillor	1/1/2022 - 31/12/2022
Mr G Pearce	Central Councillor	1/1/2022 - 31/12/2022
Mr T Williams	Central Councillor	1/1/2022 - 31/12/2022
Mr D Hopkins	Central Councillor	1/1/2022 - 31/12/2022
Mr R Gale	Central Councillor	1/1/2022 - 31/12/2022
Mr G Busson	Central Councillor	1/1/2022 - 31/12/2022
Ms S Smoothy	Central Councillor	1/1/2022 - 31/12/2022
Mr G Osborne	Central Councillor	1/1/2022 - 31/12/2022
Mr M Reid	Central Councillor	1/1/2022 - 31/12/2022
Mr G Hedley	Central Councillor	1/1/2022 - 31/12/2022
Mr H Timmins	Central Councillor	1/1/2022 - 31/12/2022

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Operating Report

For the Year Ended 31 December 2022

Review of principal activities, the results of those activities and any significant changes in the nature of those activities during the year

The principal activities of the Reporting Unit during the financial year were the:

- Adherence to the rules of the Division in furtherance of the objects of the Union consistent with the industrial relations legislation.
- Implementation of the decisions of the Divisional Executive and Committee of Management.
- Implementation of the Union's organising agenda, including assistance and advice on organising site projects, training and development of officials and planning and resourcing campaigns.
- Industrial Support including assistance with legal and legislative matters.
- The administration and variation of federal and state awards.
- Negotiation and registration of certified industrial instruments on behalf of members consistent with the objects of the *Fair Work Act 2009* and the Union rules.
- Media and other communication to members of the Division and to the broader local communities on issues affecting the rank and file.
- Monitoring and improving the health and safety of members.

No significant change in the nature of these activities occurred during the year.

The consolidated surplus of the Reporting Unit amounted to \$25,097,104 (2021: \$10,568,480).

A review of the operations and results of the Group is performed in the meetings of the Executive Officers and by the Committee of Management. Additionally, such matters are considered periodically at a regular meeting of the General Officers of the Union. The Committee of Management believe that they have furthered the interests of their members throughout the financial year through the conducting of the Union's principal activities.

Significant changes in financial affairs

In 2021, the Mining and Energy Division made an application for a ballot of members to decide whether to withdraw from the Construction, Forestry, Maritime, Mining and Energy Union (CFMMEU). The application was dismissed by the Fair Work Commission in September 2021 on jurisdictional grounds. The Mining and Energy Division applied to the Federal Court of Australia for judicial review of the Fair Work Commission decision. On 8 August 2022, the Federal Court dismissed that application.

On 16 September 2022, a new application for a ballot of members to withdraw from the CFMMEU was made to the Fair Work Commission. That application was heard by a Full Bench of the Fair Work Commission on 20 December 2022 and 1 March 2023. As of the date of this report, the decision of the Fair Work Commission is reserved.

Accordingly, the Committee of Management do not believe that this application will have any impact on the Union's ability to continue as a going concern.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Operating Report

For the Year Ended 31 December 2022

Significant changes in financial affairs (Continued)

There have been no other significant changes in the financial affairs of entities in the Reporting Unit during the year.

Right of members to resign

All members of the Union have the right to resign in accordance with Rule 5(iv)(a) of the Union Rules [and section 174 of the *Fair Work Act 2009*], namely, by providing written notice addressed and delivered to either the District Secretary, a Lodge Secretary or authorised delegate.

Officers or members who are superannuation fund trustee(s) or director of a company that is a superannuation fund trustee where being a member or officer of a registered organisation is a criterion for them holding such position

- Anthony Maher is a Director of Auscoal Superannuation Pty Ltd, which acts as a trustee for the Mine Superannuation Fund.
- Grahame Kelly is a Director of Auscoal Superannuation Pty Ltd, which acts as a trustee for the Mine Superannuation Fund.
- Mark Watson (Finance Manager) is a Director of Auscoal Superannuation Pty Ltd, which acts as trustee for the Mine Superannuation Fund (ceased employment with Union 29/7/2022 but remains a director).

These positions are held because of a criterion which requires that the reporting unit nominate a director of this entity.

No other officer or employee of the Union acts:


- i) as a trustee of a superannuation entity or an exempt public sector superannuation scheme; or
- ii) as a director of a company that is a trustee of a superannuation entity or an exempt public sector superannuation scheme.

Number of members

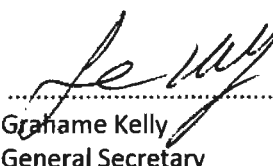
There were 21,582 members of the Union as at 31 December 2022 (2021: 21,146).

Number of employees

As at 31 December 2022 the Union had 29 full-time equivalent employees (2021: 26).



.....
Anthony Maher
General President



.....
Grahame Kelly
General Secretary

Dated: 21 March 2023

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Committee of Management Statement


For the Year Ended 31 December 2022

On 21 March 2023 the Committee of Management of the Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division passed the following resolution in relation to the General Purpose Financial Report for the year ended 31 December 2022:

The Committee of Management declares that in its opinion:

- (a) the financial statements and notes comply with the Australian Accounting Standards;
- (b) the financial statements and notes comply with any other requirements imposed by the Reporting Guidelines or Part 3 of Chapter 8 of the *Fair Work (Registered Organisations) Act 2009* ("the RO Act");
- (c) the financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the reporting unit for the financial year to which they relate;
- (d) there are reasonable grounds to believe that the reporting unit will be able to pay its debts as and when they become due and payable; and
- (e) during the financial year to which the General Purpose Financial Report relates and since the end of that year:
 - i) meetings of the committee of management were held in accordance with the rules of the organisation including the rules of a branch concerned; and
 - ii) the financial affairs of the reporting unit have been managed in accordance with the rules of the organisation including the rules of a branch concerned; and
 - iii) the financial records of the reporting unit have been kept and maintained in accordance with the RO Act; and
 - iv) where the organisation consists of two or more reporting units, the financial records of the reporting unit, have been kept, as far as practicable, in a consistent manner with each of the other reporting units of the organisation; and
 - v) where information has been sought in any request by a member of the reporting unit or General Manager duly made under section 272 of the RO Act, that information has been provided to the member or the General Manager; and
 - vi) where any order for inspection of financial records has been made by the Fair Work Commission under section 273 of the RO Act, there has been compliance.

This declaration is made in accordance with a resolution of the Committee of Management.


.....
Anthony Maher
General President


.....
Grahame Kelly
General Secretary

Dated: 21 March 2023
Sydney

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Consolidated Statement of Profit or Loss and Other Comprehensive Income

For the Year Ended 31 December 2022

	Note	2022 \$	2021 \$
Revenue	4	11,507,662	11,607,111
Employee benefits expense	5	(6,854,928)	(5,908,278)
Legal campaign fund expense	5	(793,072)	(927,785)
Advertising and campaign expenses		(1,513,829)	(469,602)
Depreciation and amortisation expense	10(a)	(851,639)	(826,925)
Operating expenditure		(1,115,625)	(602,712)
Property expenses		(732,677)	(544,493)
Travel and accommodation costs		(624,297)	(156,109)
Affiliation fees	5	(404,882)	(425,615)
Investment costs		(138,132)	(137,813)
Insurance expenses		(84,535)	(149,713)
Motor vehicle expenses		(195,148)	(142,478)
Professional fees		(94,437)	(112,876)
Donations	5	(671,869)	(32,431)
Conference and meeting expenses	5	(20,642)	(734,954)
Right-of-use assets		(6,473)	(5,212)
Gain/(loss) on sale of property, plant equipment		16,092	1,727
Fair value (loss)/gain on equity investments		(1,506,344)	1,792,259
Net gains from equity-accounted associates	20	29,181,879	8,344,379
Result for the year		25,097,104	10,568,480
Other comprehensive income for the year		-	-
Total comprehensive income/(loss) for the year		25,097,104	10,568,480

The accompanying notes form part of these financial statements.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Consolidated Balance Sheet

As at 31 December 2022

	Note	2022 \$	2021 \$
ASSETS			
CURRENT ASSETS			
Cash and cash equivalents	6	18,545,667	9,592,554
Trade and other receivables	7	3,193,501	2,079,217
Financial assets	8	43,095,153	28,188,694
Prepayments		223,212	525,796
TOTAL CURRENT ASSETS		65,057,533	40,386,261
NON-CURRENT ASSETS			
Financial assets	8	333,984	4,350,707
Property, plant and equipment	10	22,951,195	23,587,356
Intangible assets	11	-	-
Right-of-use assets		19,997	25,330
Investment in associate	20	17,506,969	11,392,746
TOTAL NON-CURRENT ASSETS		40,812,145	39,356,139
TOTAL ASSETS		105,869,678	79,742,400
LIABILITIES			
CURRENT LIABILITIES			
Trade and other payables	12	816,863	1,117,933
Lease liabilities		20,626	25,486
Employee benefits	13	2,949,301	3,342,956
TOTAL CURRENT LIABILITIES		3,786,790	4,486,375
NON-CURRENT LIABILITIES		-	-
TOTAL LIABILITIES		3,786,790	4,486,375
NET ASSETS		102,082,888	75,256,025

The accompanying notes form part of these financial statements.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Consolidated Balance Sheet

As at 31 December 2022

	Note	2022 \$	2021 \$
EQUITY			
Reserves	14	24,335,290	22,605,531
Retained earnings		<u>77,747,598</u>	<u>52,650,494</u>
TOTAL EQUITY		<u>102,082,888</u>	<u>75,256,025</u>

The accompanying notes form part of these financial statements.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Consolidated Statement of Changes in Equity

For the Year Ended 31 December 2022

	Retained Earnings \$	Capital Reserve \$	Total \$
Balance at 31 December 2021	52,650,494	22,605,531	75,256,025
Result for the year	25,097,104	-	25,097,104
Capital contributions to the fund	-	3,442,245	3,442,245
Capital distributions from the fund	-	(1,712,486)	(1,712,486)
Balance at 31 December 2022	77,747,598	24,335,290	102,082,888
Balance at 31 December 2020	42,082,014	21,906,007	63,988,021
Result for the year	10,568,480	-	10,568,480
Capital contributions to the fund	-	2,139,577	2,139,577
Capital distributions from the fund	-	(1,440,053)	(1,440,053)
Balance at 31 December 2021	52,650,494	22,605,531	75,256,025

The accompanying notes form part of these financial statements.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Consolidated Statement of Cash Flows

For the Year Ended 31 December 2022

	2022	2021
Note	\$	\$
CASH FLOWS FROM OPERATING ACTIVITIES:		
Receipts from customers and contributions	34,019,948	11,578,637
Capital Contributions from fund members	3,442,245	2,139,577
Payments to suppliers, beneficiaries and employees	(18,543,989)	(12,810,034)
Dividends received	1,053,099	672,074
Interest received	142,155	71,235
Net cash provided/(used) by operating activities	24 <u>20,113,458</u>	<u>1,651,489</u>
CASH FLOWS FROM INVESTING ACTIVITIES:		
Purchase of financial assets at amortised cost	(9,192,780)	(2,874,038)
Purchase of property, plant and equipment and intangibles	(265,749)	(280,681)
Net proceeds/(purchase) of financial assets at FVTPL	(1,696,956)	(517,131)
Net cash provided/(used) by investing activities	<u>(11,155,485)</u>	<u>(3,671,850)</u>
CASH FLOWS FROM FINANCING ACTIVITIES:		
Payment of lease liabilities	(4,860)	(3,744)
Net cash provided/(used) by financing activities	<u>(4,860)</u>	<u>(3,744)</u>
Net increase/(decrease) in cash and cash equivalents held	8,953,113	(2,024,105)
Cash and cash equivalents at beginning of year	9,592,554	11,616,659
Cash and cash equivalents at end of financial year	6 <u>18,545,667</u>	<u>9,592,554</u>

The accompanying notes form part of these financial statements.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

The financial report covers Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division and controlled entities ("the Group" or "the Reporting Unit").

Each of the entities within the Group prepare their financial statements based on the currency of the primary economic environment in which the entity operates (functional currency). The consolidated financial statements are presented in Australian dollars which is the parent entity's functional and presentation currency.

1 Basis of Preparation

These general purpose financial statements have been prepared in accordance with the Australian Accounting Standards and Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period, and the *Fair Work (Registered Organisations) Act 2009*. For the purpose of preparing the general purpose financial statements, the Union is a not-for-profit entity.

The financial statements, except for cash flow information, have been prepared using the accrual basis of accounting. The financial statements have been prepared on a historical cost basis, except for certain assets and liabilities measured at fair value, as explained in the accounting policies below. Historical cost is generally based on the fair values of the consideration given in exchange for assets. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position.

Where required, comparative figures have been adjusted to conform with changes in presentation in the current financial year.

2 Summary of Significant Accounting Policies

(a) Basis of consolidation

The consolidated financial statements include the financial position and performance of controlled entities from the date on which control is obtained until the date that control is lost.

Intragroup assets, liabilities, equity, income, expenses and cashflows relating to transactions between entities in the consolidated entity have been eliminated in full for the purpose of these financial statements.

Appropriate adjustments have been made to a controlled entity's financial position, performance and cash flows where the accounting policies used by that entity were different from those adopted by the consolidated entity. All controlled entities have a December financial year end.

A list of controlled entities is contained in Note 18 to the financial statements.

**Notes to the Financial Statements
For the Year Ended 31 December 2022**

2. Summary of Significant Accounting Policies (Continued)

(a) Basis of consolidation (Continued)

Subsidiaries

Subsidiaries are all entities (including structured entities) over which the parent has control. Control is established when the parent is exposed to, or has rights to variable returns from its involvement with the entity and has the ability to affect those returns through its power to direct the relevant activities of the entity.

Associates

Interests in associates, where the investor has significant influence over the investee, are accounted for using the equity method in accordance with AASB 128 Investments in Associates and Joint Ventures. Under this method, the investment is initially recognised as cost and the carrying amount is increased or decreased to recognise the investor's share of the profit or loss and other comprehensive income of the investee after the date of acquisition.

(b) Business combinations

Business combinations are accounted for by applying the acquisition method which requires an acquiring entity to be identified in all cases. The acquisition date under this method is the date that the acquiring entity obtains control over the acquired entity.

The fair value of identifiable assets and liabilities acquired are recognised in the consolidated financial statements at the acquisition date.

Goodwill or a gain on bargain purchase may arise on the acquisition date, this is calculated by comparing the consideration transferred and the amount of non-controlling interest in the acquiree with the fair value of the net identifiable assets acquired. Where consideration is greater than the net assets acquired, the excess is recorded as goodwill. Where the net assets acquired are greater than the consideration, the measurement basis of the net assets are reassessed and then a gain from bargain purchase recognised in profit or loss.

All acquisition-related costs are recognised as expenses in the periods in which the costs are incurred except for costs to issue debt or equity securities.

Any contingent consideration which forms part of the combination is recognised at fair value at the acquisition date. If the contingent consideration is classified as equity then it is not remeasured and the settlement is accounted for within equity. Otherwise subsequent changes in the value of the contingent consideration liability are measured through profit or loss.

**Notes to the Financial Statements
For the Year Ended 31 December 2022**

2. Summary of Significant Accounting Policies (Continued)

(c) Income tax

The Union is exempt from income tax under section 50.1 of the *Income Tax Assessment Act 1997*, however still has an obligation for Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

(d) Leases

At inception of a contract, the Group assesses whether a lease exists - i.e. does the contract convey the right to control the use of an identified asset for a period of time in exchange for consideration.

This involves an assessment of whether:

- The contract involves the use of an identified asset - this may be explicitly or implicitly identified within the agreement. If the supplier has a substantive substitution right then there is no identified asset.
- The Group has the right to obtain substantially all of the economic benefits from the use of the asset throughout the period of use.
- The Group has the right to direct the use of the asset i.e. decision making rights in relation to changing how and for what purpose the asset is used.

Lessee accounting

The non-lease components included in the lease agreement have been separated and are recognised as an expense as incurred.

Right-of-use asset

At the lease commencement, the Group recognises a right-of-use asset and associated lease liability for the lease term. The lease term includes extension periods where the Group believes it is reasonably certain that the option will be exercised.

The right-of-use asset is measured using the cost model where cost on initial recognition comprises of the lease liability, initial direct costs, prepaid lease payments, estimated cost of removal and restoration less any lease incentives received.

The right-of-use asset is depreciated over the lease term on a straight line basis and assessed for impairment in accordance with the impairment of assets accounting policy.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

2. Summary of Significant Accounting Policies (Continued)

(d) Leases (Continued)

Lease liability

The lease liability is initially measured at the present value of the remaining lease payments at the commencement of the lease. The discount rate is the rate implicit in the lease, however where this cannot be readily determined then the Group's incremental borrowing rate is used.

Subsequent to initial recognition, the lease liability is measured at amortised cost using the effective interest rate method. The lease liability is remeasured whether there is a lease modification, change in estimate of the lease term or index upon which the lease payments are based (e.g. CPI) or a change in the Group's assessment of lease term.

Where the lease liability is remeasured, the right-of-use asset is adjusted to reflect the remeasurement or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

The Group as a lessor

Lessor accounting

When the Group is a lessor, the lease is classified as either an operating or finance lease at inception date based on whether substantially all of the risks and rewards incidental to ownership of the underlying asset have been transferred to the lessee. If the risks and rewards have been transferred then the lease is classified as a finance lease, otherwise it is an operating lease.

If the lease contains lease and non-lease components then the non-lease components are accounted for in accordance with AASB 15 Revenue from Contracts with Customers.

The lease income from operating leases is recognised on a straight line basis over the lease term. Finance income under a finance lease is recorded on a basis to reflect a constant periodic rate of return on the Group's net investment in the lease.

(e) Revenue and other income

Revenue from contracts with customers

The core principle of AASB 15 is that revenue is recognised on a basis that reflects the transfer of promised goods or services to customers at an amount that reflects the consideration the Group expects to receive in exchange for those goods or services.

**Notes to the Financial Statements
For the Year Ended 31 December 2022**

2. Summary of Significant Accounting Policies (Continued)

(e) Revenue and other income (Continued)

Revenue from contracts with customers (Continued)

Revenue is recognised by applying a five-step model as follows:

1. Identify the contract with the customer
2. Identify the performance obligations
3. Determine the transaction price
4. Allocate the transaction price to the performance obligations
5. Recognise revenue as and when control of the performance obligations is transferred

Generally the timing of the payment for sale of goods and rendering of services corresponds closely to the timing of satisfaction of the performance obligations, however where there is a difference, it will result in the recognition of a receivable, contract asset or contract liability.

None of the revenue streams of the Group have any significant financing terms as there is less than 12 months between receipt of funds and satisfaction of performance obligations.

Specific revenue streams

The revenue recognition policies for the principal revenue streams of the Group are:

Member income and capitation fees

For membership subscription and capitation fee arrangements that meet the criteria to be contracts with customers, revenue is recognised when the promised goods or services transfer to the customer as a member of the Group.

There is only one distinct service promised in the arrangement. Accordingly, the Group recognises revenue as the service is provided, which is typically based on the passage of time over the subscription period to reflect the Group promise to stand ready to provide assistance and support to the member as required.

When a member subsequently purchases additional goods or services from the Group at their standalone selling price, the Group accounts for those sales as a separate contract with a customer.

Rental income

Rental revenue is recognised on a straight-line basis over a period of the lease term so as to reflect a constant periodic rate of return on the net investment.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

2. Summary of Significant Accounting Policies (Continued)

(e) Revenue and other income (Continued)

Dividend revenue

Dividends are recognised when the entity's right to receive payment is established.

Other income

Other income is recognised on an accrual basis when the Group is entitled to it.

(f) Goods and services tax (GST)

Revenue, expenses and assets are recognised net of the amount of goods and services tax (GST), except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST.

The net amount of GST recoverable from, or payable to, the ATO is included as part of receivables or payables in the consolidated balance sheet.

Cash flows in the consolidated statement of cash flows are included on a gross basis and the GST component of cash flows arising from investing and financing activities which is recoverable from, or payable to, the taxation authority is classified as operating cash flows.

(g) Property, plant and equipment

Each class of property, plant and equipment is carried at cost, where applicable, any accumulated depreciation and impairment.

Under cost model, the asset is carried at its cost less any accumulated depreciation and any impairment losses. Costs include purchase price, other directly attributable costs and the initial estimate of the costs of dismantling and restoring the asset, where applicable.

**Notes to the Financial Statements
For the Year Ended 31 December 2022**

2. Summary of Significant Accounting Policies (Continued)

(g) Property, plant and equipment (Continued)

Depreciation

Property, plant and equipment, excluding freehold land, is depreciated on a straight-line basis over the assets useful life to the Group, commencing when the asset is ready for use.

The depreciation rates used for each class of depreciable asset are shown below:

Fixed asset class	Depreciation rate
Buildings	2 - 20 %
Furniture, Fixtures and Fittings	5 - 40 %
Motor Vehicles	22.5 %

At the end of each annual reporting period, the depreciation method, useful life and residual value of each asset is reviewed. Any revisions are accounted for prospectively as a change in estimate.

(h) Financial instruments

The Group classifies its financial assets in the following measurement categories:

- those to be measured subsequently at fair value (either through other comprehensive income, or through profit or loss), and
- those to be measured at amortised cost.

The classification depends on the entity's business model for managing the financial assets and the contractual terms of the cash flows.

For assets measured at fair value, gains and losses will either be recorded in profit or loss or other comprehensive income. For investments in equity instruments that are not held for trading, this will depend on whether the Group has made an irrevocable election at the time of initial recognition to account for the equity instrument at fair value through other comprehensive income.

**Notes to the Financial Statements
For the Year Ended 31 December 2022**

2. Summary of Significant Accounting Policies (Continued)

(h) Financial instruments (Continued)

Subsequent measurement of debt instruments depends on the Group's business model for managing the asset and the cash flow characteristics of the asset. All the Group's debt instruments are classified as amortised cost, whereby all assets are held for collection of contractual cash flows where those cash flows represent solely payments of principal and interest. These are measured at amortised cost. A gain or loss on a debt investment that is subsequently measured at amortised cost and is not part of a hedging relationship is recognised in profit or loss when the asset is derecognised or impaired. Interest income from these financial assets is included in finance income using the effective interest rate method.

The Group subsequently measures all equity instruments at fair value. Where the Group's management has elected to present fair value gains and losses on equity investments in other comprehensive income, there is no subsequent reclassification of fair value gains and losses to profit or loss following the derecognition of the investment.

Changes in the fair value of financial assets at fair value through profit or loss are recognised in the statement of profit or loss and other comprehensive income as applicable.

Impairment

The Group assesses on a forward looking basis the expected credit losses associated with its debt instruments carried at amortised cost. The impairment methodology applied depends on whether there has been significant increase in credit risk. Note 15 details how the Group determines whether there has been a significant increase in credit risk.

For trade receivables, the Group applies the simplified approach permitted by AASB 9, which requires expected lifetime losses to be recognised from initial recognition of the receivables.

(i) Impairment of non-financial assets

At the end of each reporting period the Group determines whether there is an evidence of an impairment indicator for non-financial assets.

Where an indicator exists and regardless for goodwill, indefinite life intangible assets and intangible assets not yet available for use, the recoverable amount of the asset is estimated.

Where assets do not operate independently of other assets, the recoverable amount of the relevant cash-generating unit (CGU) is estimated.

**Notes to the Financial Statements
For the Year Ended 31 December 2022**

2. Summary of Significant Accounting Policies (Continued)

(i) Impairment of non-financial assets (Continued)

The recoverable amount of an asset or CGU is the higher of the fair value less costs of disposal and the value in use. Value in use is the present value of the future cash flows expected to be derived from an asset or cash-generating unit.

Where the recoverable amount is less than the carrying amount, an impairment loss is recognised in profit or loss.

Reversal indicators are considered in subsequent periods for all assets which have suffered an impairment loss, except for goodwill.

(j) Intangibles

Amortisation

Amortisation is recognised in profit or loss on a straight-line basis over the estimated useful lives of intangible assets, other than goodwill, from the date that they are available for use.

Amortisation methods, useful lives and residual values are reviewed at each reporting date and adjusted if appropriate.

Software

Software has a finite life and is carried at cost less any accumulated amortisation and impairment losses. It has an estimated useful life of between one and three years.

(k) Cash and cash equivalents

Cash and cash equivalents comprises cash on hand, on-demand deposits and short-term highly liquid investments with original maturity of 3 months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of change in value.

(l) Employee benefits

Defined contribution schemes

Obligations for contributions to defined contribution superannuation plans are recognised as an expense in profit or loss in the periods in which services are provided by employees.

**Notes to the Financial Statements
For the Year Ended 31 December 2022**

2. Summary of Significant Accounting Policies (Continued)

(l) Employee benefits (Continued)

Short-term obligations

Liabilities for wages and salaries, including non-monetary benefits and accumulating sick leave that are expected to be settled wholly within 12 months after the end of the period in which the employees render the related service are recognised in respect of employees' services up to the end of the reporting period and are measured at the amounts expected to be paid when the liabilities are settled. The liabilities are presented as current employee benefit obligations in the balance sheet.

Other long-term employee benefit obligations

The liabilities for long service leave, annual leave, accumulating personal leave and separation and redundancy entitlements that are not expected to be settled wholly within 12 months after the end of the period in which the employees render the related service. They are therefore measured as the present value of expected future payments to be made in respect of services provided by employees up to the end of the reporting period. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the end of the reporting period of high-quality corporate bonds with terms and currencies that match, as closely as possible, the estimated future cash outflows. Remeasurements as a result of experience adjustments are recognised in profit or loss.

The obligations are presented as current liabilities in the balance sheet if the entity does not have an unconditional right to defer settlement for at least twelve months after the reporting period, regardless of when the actual settlement is expected to occur.

(m) Provisions

Provisions are recognised when the Group has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

**Notes to the Financial Statements
For the Year Ended 31 December 2022**

2. Summary of Significant Accounting Policies (Continued)

(n) Foreign currency transactions and balances

Transaction and balances

Foreign currency transactions are recorded at the spot rate on the date of transaction.

At the end of the reporting period:

- Foreign currency monetary items are translated using the closing rate;
- Non-monetary items that are measured at historical cost are translated using the exchange rate at the date of the transaction; and
- Non-monetary items that are measured at fair value are translated using the rate at the date when fair value was determined.

Exchange differences arising on the settlement of monetary items or on translating monetary items at rates different from those at which they were translated on initial recognition or in prior reporting periods are recognised through profit or loss, except where they relate to an item of other comprehensive income.

(o) Capitation fees

Capitation fees and levies are recognised on an accrual basis and recorded as a revenue and/or expense in the year to which it relates.

(p) Volunteer services

During the year, the Group did not recognise any volunteer services as revenue because it could not reliably measure the fair value of those services.

(q) Adoption of new and revised accounting standards

The Group has adopted all standards which became effective for the first time at 31 December 2022, none of the new standards had a material impact on the reported financial position, or performance.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

2. Summary of Significant Accounting Policies (Continued)

(r) Proposed withdrawal from the CFMMEU

In 2021, the Union made an application to the Fair Work Commission (FWC) for a ballot of members, to decide whether to withdraw from the Construction, Forestry, Maritime, Mining and Energy Union (CFMMEU). The application was dismissed by the FWC in September 2021 on jurisdictional grounds. The Union applied to the Federal Court of Australia for a judicial review of the FWC decision. On 8 August 2022, the Federal Court dismissed that application. On 15 September 2022, a new application for a ballot of members to withdraw from the CFMMEU was made to the FWC. That application was heard by a Full Bench of the FWC on 20 December 2022 and 1 March 2023. As of the date of this report, the decision of the FWC is reserved.

Should the withdrawal application be approved by the FWC and the subsequent ballot of members vote in favour of the Union's withdrawal from CFMMEU, the substance of the withdrawal will be that the existing operations and finances will not change. All financial reporting elements are expected to continue, without adjustment, with the newly constituted Union as a separately registered union, rather than as a Division of the CFMMEU. There are not expected to be any changes to the reported values of any assets, liabilities, revenues expenses or items of equity.

Accordingly, the Committee of Management do not believe that this application will have any impact on the Union's ability to continue as a going concern.

3 Critical Accounting Estimates and Judgements

The Committee of Management make estimates and judgements during the preparation of these financial statements regarding assumptions about current and future events affecting transactions and balances.

These estimates and judgements are based on the best information available at the time of preparing the financial statements, however as additional information is known then the actual results may differ from the estimates.

The significant estimates and judgements made have been described below:

Key estimates - impairment of property, plant and equipment

The Group assesses impairment at the end of each reporting period by evaluating conditions specific to the Group that may be indicative of impairment triggers.

**Notes to the Financial Statements
For the Year Ended 31 December 2022**

3 Critical Accounting Estimates and Judgements (Continued)

Key estimates - useful lives of depreciable assets

Management reviews its estimate of the useful lives of depreciable assets at each reporting date, based on the expected utility of the assets. Uncertainties in these estimates relate to technical obsolescence that may change the utility of certain property, plant and equipment.

Key estimates - receivables

The receivables at reporting date have been reviewed to determine whether there is any objective evidence that any of the receivables are impaired. An impairment provision is included for any receivable where the entire balance is not considered collectible. The impairment provision is based on the best information at the reporting date.

Key estimates - employee entitlements

As described in the accounting policies, provisions are measured at management's best estimate of the expenditure required to settle the obligation at the end of the reporting period. These estimates are made after taking into account a range of possible outcomes, probabilities and assumptions and will vary as further information is obtained.

Key judgements - control assessments

The Committee of Management have determined that they do not control a company called Auscoal Superannuation Pty Limited even though the Union holds 50% of the issued capital of this entity. Auscoal Superannuation Pty Ltd is the Trustee of Mine Superannuation Fund. It is not a controlled entity of the Union because the Union is not exposed, and has no right, to variable returns from this entity and is not able to use its power over the entity to affect those returns. The investment has a fair value of \$4 (2021: \$4) and is included in unlisted shares.

The Committee of Management have determined that they do not control a company called Coal Services Pty Limited even though the Union holds 50% of the issued capital of this entity. It is not a controlled entity of the Union because the Union is not exposed, and has no right, to variable returns from this entity and is not able to use its power over the entity to affect those returns. The investment has a fair value of \$1 (2021: \$1) and is included in unlisted shares.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements

For the Year Ended 31 December 2022

3 Critical Accounting Estimates and Judgements (Continued)

Key judgements - control assessments (Continued)

The Committee of Management have determined that they control a company called NMEAF Pty Limited even though the Union owns no shares in the company. As both the parent and subsidiary are not-for-profit entities, control has been determined in accordance with the implementation guidance for not-for-profit entities included in *AASB 10 Consolidated Financial Statements*. NMEAF Pty Limited is the trustee of the National Assistance Fund and therefore the Union is deemed to also control this Trust. The Union is the income beneficiary of the trust and receives the net income of the trust on an annual basis. The Union will receive the repository assets of the fund at the vesting date of the trust. Refer to note 18 for further information regarding the restriction of the assets and capital reserve of the fund.

Key judgement - significant influence

The Committee of Management have determined they have significant influence over the United Joint Venture even though the Union does not hold 20% of the voting rights of this entity. The Committee of Management believe that they have the power to participate in the financial and operating policy decisions of the Joint Venture, however they do not have control or joint control of those policies. This joint venture has therefore been accounted for as an investment in an associate (refer note 20).

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

4 Revenue and other income

Revenue from contracts with customers

	2022	2021
	\$	\$
<i>Capitation fees by branch</i>		
- Northern Mining and NSW Energy District	2,641,833	2,664,236
- Queensland District	2,096,161	2,142,530
- South West District	1,031,976	1,032,287
- AWU WA Branch	499,854	462,324
- Western Australian District	248,152	193,094
- Victorian District	170,160	172,973
- Tasmanian District	22,725	25,285
Campaign and special administration funds received	1,123,450	2,294,578
	<u>7,834,311</u>	<u>8,987,307</u>
Other revenue		
- Rental income	1,644,934	1,228,991
- Interest received	378,595	74,922
- Dividend received	1,053,099	672,075
- Other income	595,178	643,816
- Grants received - government subsidies	1,545	-
	<u>3,673,351</u>	<u>2,619,804</u>
	<u>11,507,662</u>	<u>11,607,111</u>

Disaggregation of revenue from contracts with customers

Revenue from contracts with customers has been disaggregated and the following table shows this breakdown:

Timing of revenue recognition

- At a point in time	1,123,450	2,294,578
- Over time	6,710,861	6,692,729
Revenue from contracts with customers	<u>7,834,311</u>	<u>8,987,307</u>

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

5 Result for the year

(a) Employee benefits expense comprises:

	2022	2021
	\$	\$
<i>Office holders:</i>		
- Wages and salaries	592,468	505,952
- Superannuation	57,351	52,802
- Movement in leave and other entitlements	41,001	377,751
- Separation and redundancies	16,130	14,217
- Other employee expenses (including FBT, payroll tax and other expenses)	57,041	85,451
	<u>763,991</u>	<u>1,036,173</u>
<i>Employees other than office holders:</i>		
- Wages and salaries	4,897,055	3,222,057
- Superannuation	628,820	503,581
- Movement in leave and other entitlements	(22,999)	911,639
- Separation and redundancies	43,500	-
- Other employee expenses (including FBT, payroll tax, uniforms and other expenses)	544,561	234,828
	<u>6,090,937</u>	<u>4,872,105</u>
Total employee benefits expense	<u><u>6,854,928</u></u>	<u><u>5,908,278</u></u>

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

5 Result for the year (Continued)

(b) Other expense disclosures

	2022	2021
	\$	\$
<i>Affiliation Fees</i>		
CFMMEU - capitation fees	226,617	226,617
IndustriALL Global Union	42,311	40,872
The McKell Institute	-	25,000
ACTU	135,954	133,126
	404,882	425,615
Conference and meeting expenses	20,642	734,954
Donations - total paid that were less \$1,000 or less	933	-
Donations - total paid that exceeded \$1,000	682,351	32,431
	683,284	32,431
Legal costs - litigation	71,809	694,747
Legal costs - other legal matters	721,263	233,038
	793,072	927,785
Fees or allowances paid, to attend conferences or meetings as a representative of the Reporting Unit	20,320	35,492

6 Cash and cash equivalents

Cash on hand	180	629
Cash at bank	18,545,487	9,591,925
	18,545,667	9,592,554

Restricted cash

The Group has restricted cash balance of \$5,587,820 (2021: \$4,536,022) which is held for a specific purpose and cannot be used to settle the liabilities of the Group. Refer note 18 for further information.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements

For the Year Ended 31 December 2022

7 Trade and other receivables

	2022	2021
Note	\$	\$
Trade Receivables from contracts with customers	1,394,194	1,766,116
Provision for impairment	7(b) -	-
Other receivables	1,799,307	313,101
	<u>3,193,501</u>	<u>2,079,217</u>

(a) Aged analysis

The ageing analysis of trade receivables is as follows:

0-30 days	1,145,532	1,766,116
31-60 days	210,929	-
91+ days (past due not impaired)	37,733	-
	<u>1,394,194</u>	<u>1,766,116</u>

The carrying value of trade receivables is considered a reasonable approximation of fair value due to the short-term nature of the balances.

The maximum exposure to credit risk at the reporting date is the fair value of each class of receivable in the financial statements.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

7 Trade and other receivables (Continued)

(b) Impairment of receivables

The Group applies the simplified approach to providing for expected credit losses prescribed by AASB 9, which permits the use of the lifetime expected loss provision for all trade receivables. To measure the expected credit losses, trade receivables have been grouped based on shared credit risk characteristics and the days past due. The loss allowance provision as at 31 December 2022 is determined as follows, the expected credit losses incorporate forward looking information.

	Current	< 30 days overdue	< 90 days overdue	> 90 days overdue	Total
31 December 2022					
Expected loss rate (%)	-	-	-	-	-
Gross carrying amount (\$)	1,145,532	210,929	-	37,733	1,394,194
ECL provision	-	-	-	-	-
31 December 2021					
Expected loss rate (%)	-	-	-	-	-
Gross carrying amount (\$)	1,766,116	-	-	-	1,766,116
ECL provision	-	-	-	-	-

(c) Receivables from other reporting units

	2022	2021
	\$	\$
CFMMEU - Mining and Energy Division		
- Queensland District Office	490,037	455,274
- Northern Mining and NSW Energy District	239,887	451,459
- South Western District	261,171	415,583
- AWU Western Australian Branch	141,931	105,175
- Western Australian District	107,500	120,000
- Victorian District	781,291	34,937
- Tasmanian District	41,575	40,582
	2,063,392	1,623,010

Receivables from other reporting units are not considered impaired (2021: Nil).

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

8 Financial assets

	Note	2022 \$	2021 \$
CURRENT			
Financial assets at fair value through profit or loss	(a)	22,702,604	16,988,925
Other financial assets at amortised cost	(b)	20,392,549	11,199,769
		<u>43,095,153</u>	<u>28,188,694</u>
NON-CURRENT			
Financial assets at fair value through profit or loss	(a)	<u>333,984</u>	<u>4,350,707</u>

(a) Financial assets at fair value through profit or loss comprise:

CURRENT

Listed investments, at fair value

- shares in listed corporations 22,702,604 16,988,925

NON-CURRENT

Listed investments - fair value

- shares in listed corporations 333,969 4,350,692

Unlisted investments

- shares in other corporations 15 15

333,984 4,350,707

(b) Other financial assets at amortised cost comprise:

Term deposits

20,392,549 11,199,769

(c) Classification of financial assets at fair value through profit or loss

The Group classifies equity investments for which the Group has not elected to recognise fair value gains and losses through other comprehensive income as fair value through profit or loss.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

9 Leases

The Group as a lessor

Operating leases

The Group leases out a number of properties. These leases have been classified as operating leases for financial reporting purposes and the assets are included as property plant and equipment in the consolidated balance sheet (refer note 10).

Minimum lease payments receivable on leases of property are as follows:

	2022	2021
	\$	\$
Less than 1 year	1,445,101	1,382,313
Between 1 – 2 years	1,294,070	622,208
Between 2 – 3 years	1,215,788	352,765
	<u>3,954,959</u>	<u>2,357,286</u>

10 Property, plant and equipment

Land & buildings		
At cost	28,866,389	29,892,873
Accumulated depreciation and impairment	<u>(6,540,701)</u>	<u>(6,890,810)</u>
	<u>22,325,688</u>	<u>23,002,063</u>
Furniture, fixture and fittings		
At cost	817,038	706,919
Accumulated depreciation	<u>(641,854)</u>	<u>(599,302)</u>
	<u>175,184</u>	<u>107,617</u>
Motor vehicles		
At cost	793,040	769,591
Accumulated depreciation	<u>(342,717)</u>	<u>(291,915)</u>
	<u>450,323</u>	<u>477,676</u>
Total property, plant and equipment	<u>22,951,195</u>	<u>23,587,356</u>

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

10 Property, plant and equipment (Continued)

(a) Movements in carrying amounts of property, plant and equipment

Movement in the carrying amounts for each class of property, plant and equipment between the beginning and the end of the current financial year:

	Land & Buildings \$	Furniture, Fixtures and Fittings \$	Motor Vehicles \$	Total \$
Year ended 31 December 2022				
Balance at the beginning of year	23,002,063	107,617	477,676	23,587,356
Additions	-	118,341	147,408	265,749
Disposals - written down value	-	-	(50,271)	(50,271)
Depreciation expense	(676,375)	(50,774)	(124,490)	(851,639)
Balance at the end of the year	22,325,688	175,184	450,323	22,951,195
Year ended 31 December 2021				
Balance at the beginning of year	23,611,366	54,453	517,871	24,183,690
Additions	71,666	84,349	124,666	280,681
Disposals - written down value	-	-	(50,090)	(50,090)
Depreciation expense	(680,969)	(31,185)	(114,771)	(826,925)
Balance at the end of the year	23,002,063	107,617	477,676	23,587,356

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

11 Intangible Assets

	2022	2021
	\$	\$
Computer software		
At cost	341,550	341,550
Accumulated amortisation	(341,550)	(341,550)
	<u>-</u>	<u>-</u>

12 Trade and other payables

Trade Payables	504,698	735,218
Other Payables	312,165	382,715
	<u>816,863</u>	<u>1,117,933</u>

All amounts are short term and the carrying values are considered to be a reasonable approximations of fair value.

(a) Payables to other reporting entities:

CFMMEU - Mining and Energy Division		
- Northern Mining and NSW Energy District	44,881	168,899
- South Western District	63,078	114,439
- Queensland District Office	-	111,330
	<u>107,959</u>	<u>394,668</u>

(b) Amounts included in payables:

Legal fees payable - litigation	144,449	46,945
Legal fees payable - other legal matters	4,448	45,637
	<u>148,897</u>	<u>92,582</u>

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

13 Employee benefits

	2022	2021
	\$	\$
Provision for employee benefits	<u>2,949,301</u>	<u>3,342,956</u>
(a) Total employee benefits attributable to:		
Office Holders - Current:		
Annual leave	166,301	187,662
Long service leave	478,656	452,023
Less: Right of indemnity [note (b)]	(478,656)	(452,023)
Separations and redundancies	299,076	282,946
Personal leave	338,139	302,409
	<u>803,516</u>	<u>773,017</u>
Employees other than Office Holders - Current:		
Annual leave	654,695	853,298
Long service leave	984,127	1,250,629
Personal leave	506,963	466,012
	<u>2,145,785</u>	<u>2,569,939</u>
National Officers other than Office Holders - Current:		
Long service leave	3,308,734	3,250,974
Less: Right of indemnity [note(b)]	(3,308,734)	(3,250,974)
	<u>-</u>	<u>-</u>
	<u>2,949,301</u>	<u>3,342,956</u>

(b) Right of indemnity

All long service leave entitlements relating to National Officers are the responsibility of 'The CFMEU Mining & Energy Employees' Entitlement Trust' from which all relevant long service leave entitlements and obligations are settled from. Accordingly, the provision for long service leave is reduced by the fair value of trust assets available and set aside to settle those entitlements. The Trust is an ATO approved Employee Entitlement Trust.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

14 Reserves

	Note	2022 \$	2021 \$
Capital reserve			
Opening balance		22,605,531	21,906,007
Capital contributions		3,442,245	2,139,577
Capital distributions		(1,712,486)	(1,440,053)
Closing balance		24,335,290	22,605,531

The capital reserve are restricted funds. Refer note 18.

15 Financial risk management

The main risks the Group is exposed to through its financial instruments are liquidity risk, credit risk and market risk consisting of interest rate risk and equity price risk.

The Group's financial instruments consist mainly of deposits with banks, short-term investments, accounts receivable and payable and lease liabilities.

The totals for each category of financial instruments, measured as detailed in the accounting policies to these financial statements, are as follows:

Financial Assets

Cash and cash equivalents	6	18,545,667	9,592,554
Trade receivables	7	1,394,194	1,766,116
Other receivables	7	1,034,307	313,101
Other financial assets at amortised cost	8	20,392,549	11,199,769
Financial assets at fair value through profit or loss			
- listed investments	8	23,036,573	21,339,617
- unlisted investments	8	15	15
Total financial assets		64,403,305	44,211,172

Financial Liabilities

Financial liabilities at amortised cost			
- Trade and other payables	12	816,863	1,117,933
- Lease liabilities		20,626	25,486
Total financial liabilities		837,489	1,143,419

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

15 Financial risk management (Continued)

Liquidity risk

Liquidity risk arises from the Group's management of working capital and the finance charges and principal repayments on its debt instruments. It is the risk that the Group will encounter difficulty in meeting its financial obligations as they fall due.

The Group's policy is to ensure that it will always have sufficient cash to allow it to meet its liabilities as and when they fall due.

The Group's liabilities have contractual maturities which are summarised below:

	Less than 1 year	
	2022	2021
	\$	\$
Trade and other payables (excluding estimated annual leave)	816,863	1,117,933

Credit risk

Credit risk refers to the risk that a counterparty will default on its contractual obligations resulting in a financial loss to the Company.

Credit risk arises from cash and cash equivalents and deposits with banks and financial institutions, as well as credit exposure to customers, including outstanding receivables and committed transactions.

The Company has adopted a policy of only dealing with creditworthy counterparties as a means of mitigating the risk of financial loss from defaults.

Management considers that all the financial assets that are not impaired for each of the reporting dates under review are of good credit quality, including those that are past due.

The credit risk for liquid funds and other short-term financial assets is considered negligible, since the counterparties are reputable banks.

Accordingly, the Group does not have any material credit risk exposure to any single receivable or group of receivables.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

**Notes to the Financial Statements
For the Year Ended 31 December 2022**

15 Financial risk management (Continued)

Market risk

The Group is exposed to market risk, consisting of equity securities price risk. This arises from listed and unlisted investments held by the Group and classified as financial assets at fair value through profit or loss on the consolidated balance sheet.

The Group is not exposed to commodity price risk, nor does it have a material exposure to foreign exchange risk.

At reporting date, if the respective Stock Exchange index had increased / decreased by 10.00% with all other variables held constant and all of the Group's equity instruments moved according to the historical correlation with the index, the impact on profit and equity is shown in the table below:

	2022		2021	
	+10.00%	-10.00%	+10.00%	-10.00%
Australian and international market indices				
Impact on result	<u>2,303,657</u>	<u>(2,303,657)</u>	<u>2,619,824</u>	<u>(2,619,824)</u>

Equity would increase / decrease as a result of fair value movements through the investment reserve.

The price risk for the unlisted securities held by the Group is immaterial in terms of the possible impact on profit or loss or total equity. It has therefore not been included in the sensitivity analysis.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

15 Financial risk management (Continued)

Net income and expense from Financial Assets

	2022	2021
	\$	\$
Financial assets at amortised cost		
Interest revenue	378,595	74,922
Financial assets held at fair value through profit or loss		
Gain/(loss) recognised in profit or loss	(1,506,344)	1,792,259
Dividends	1,053,099	672,075
Brokerage fees	(138,132)	(140,972)

16 Key Management Personnel Disclosures

Key management personnel remuneration included within employee expenses for the year is shown below:

Salary (including annual leave taken)	504,100	493,490
Leave accrued	81,566	79,582
	<u>585,666</u>	<u>573,072</u>
Long-term benefits	14,727	28,137
Superannuation	48,295	44,942
	<u>648,688</u>	<u>646,151</u>

17 Auditor's remuneration

Remuneration of the auditor of the Union, Daley Audit, for:

- auditing the financial report	46,890	49,700
- taxation and consulting services	31,210	750
	<u>78,100</u>	<u>50,450</u>

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

18 Interests in Subsidiaries

	Principal place of business / Country of Incorporation	Percentage Owned (%) ¹ 2022	Percentage Owned (%) ¹ 2021
Subsidiaries:			
Unite Organising Pty Limited	Australia	100	100
NMEAF Pty Limited	Australia	-	-
National Assistance Fund	Australia	-	-
Unity Law Pty Limited ²	Australia	-	-

1. The percentage of ownership interest held is equivalent to the percentage voting rights for all subsidiaries. Refer note 3 for further information regarding control assessments made.

2. Unity Law Pty Limited was deregistered on 9 November 2022.

Significant restrictions relating to subsidiaries

The assets and capital reserve of the National Assistance Fund are restricted by the terms and provisions of its Trust Deed and cannot be used to settle the liabilities of the other entities within the Group. The total assets of the restricted assets as at balance date are \$23,733,093 (2021: \$24,525,188) and the restricted capital funds as at balance date are \$24,288,790 (2021: \$22,605,531).

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

19 Material Subsidiaries

The amounts disclosed below are prior to any inter-entity eliminations.

	2022	2021
	\$	\$
National Assistance Fund		
<i>Summarised Balance Sheet</i>		
Current Assets	23,608,027	24,433,040
Non-current assets	125,066	92,148
Current Liabilities	(6,500)	(1,966,148)
Non-current liabilities	-	-
<i>Net Assets</i>	<u>23,726,593</u>	<u>22,559,040</u>
<i>Summarised Statement of profit or loss and other comprehensive income</i>		
Revenue	834,295	1,979,029
Profit/(Loss)	<u>(562,207)</u>	<u>1,862,058</u>
Total comprehensive income	<u>(562,207)</u>	<u>1,862,058</u>

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

20 Interests in Associates

Material associate

The following information is provided for associates that are material to the Group and is the amount per the Joint Venture financial statements, adjusted for fair value adjustments at acquisition date and differences in accounting policies, rather than the Group's share.

	2022	2021
	\$	\$
<i>United Joint Venture</i>		
<i>Summarised Consolidated Balance Sheet</i>		
Cash and cash equivalents	50,039,697	34,406,751
Other current assets	163,960,668	55,064,738
Non-current assets	274,544,690	284,433,697
Other current liabilities	(199,270,374)	(78,983,170)
Other non-current liabilities	(33,384,081)	(34,187,620)
<i>Net assets</i>	<u>255,890,600</u>	<u>260,734,396</u>
<i>Summarised Consolidated Statement of profit or loss and other comprehensive income</i>		
<i>Revenue</i>		
Interest income	772,633	78,997
Depreciation and amortisation	(32,510,250)	(28,633,280)
Profit / (loss) from continuing operations	<u>(316,728,913)</u>	<u>(221,134,771)</u>

Reconciliation of carrying amount of interest in associate to summarised financial information for associates accounted for using the equity method:

Group's share of 5% of net assets	12,794,530	13,036,720
Less: Ableshore loan receivable/(payable)	4,712,439	(1,643,974)
Carrying amount	<u>17,506,969</u>	<u>11,392,746</u>

The United Joint Venture has a 50% share in the United Wambo Joint Venture, which is included in the results above.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

20 Interests in Associates (Continued)

	2022	2021
	\$	\$
Movement in the Ableshore loan	6,356,413	4,426,965
Movement in the share of Joint Venture net assets	(242,190)	3,917,414
Distributions received during the year	23,067,656	-
Net gains from equity accounted associates	29,181,879	8,344,379

21 Fair Value Measurement

The Group measures its financial assets, being shares at fair value on a recurring basis.

Fair value hierarchy

AASB 13 *Fair Value Measurement* requires all assets and liabilities measured at fair value to be assigned to a level in the fair value hierarchy as follows:

Level 1	Unadjusted quoted prices in active markets for identical assets or liabilities that the entity can access at the measurement date.
Level 2	Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly.
Level 3	Unobservable inputs for the asset or liability.

The table below shows the assigned level for each asset and liability held at fair value by the Group:

	Level 1	Level 2	Level 3	Total
	\$	\$	\$	\$
31 December 2022				
Recurring fair value measurements				
Financial assets				
Listed shares	23,036,573	-	-	23,036,573
Unlisted shares	-	-	15	15
31 December 2021				
Recurring fair value measurements				
Financial assets				
Listed shares	21,339,617	-	-	21,339,617
Unlisted shares	-	-	15	15

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

21 Fair Value Measurement (Continued)

Level 3 measurements

The Committee of Management believe that the fair value of these shares is equal to the cost that was paid for them, as they have no right to variable return for the entities.

22 Contingencies

In the opinion of the Committee of Management, the Union did not have any contingencies as at 31 December 2022 (31 December 2021: None).

23 Related parties

(a) Parent entity

The ultimate parent entity, which exercises control over the Group, is the Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division.

(b) Key management personnel

Any person(s) having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity is considered key management personnel.

For details of remuneration disclosures relating to key management personnel, refer to Note 16: Key Management Personnel Disclosures.

(c) Associate entities that are accounted for under the equity method

The Group has a 5% interest in the joint venture entity, United Joint Venture. The interest in the associate is accounted for in these consolidated financial statements of the Group, using the equity method of accounting. For details of interests held in associate entities, refer to Note 20: Interests in Associates.

(d) Transactions with related parties

Transactions between related parties are on normal commercial terms and conditions no more favourable than those available to other parties unless otherwise stated.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

23 Related parties (Continued)

The following transactions occurred with related parties and other reporting units:

(i) Purchase of goods and services:

	2022	2021
	\$	\$
Northern Mining and NSW Energy District		
- Director fees	30,581	73,218
- Legal officer costs	131,845	108,953
- ISHR funding	26,919	25,933
- Central council wages	7,233	3,502
- LSL entitlement payment	327,094	128,629
- UDS	108,240	-
- National conference	-	83,960
Queensland District		
- UDS	87,120	-
- LSL entitlement payment	20,337	-
- Central council wages	7,233	2,801
- Legal officer costs	-	186,596
- Office rental expenses	-	32,805
- National conference	-	57,530
South Western District		
- Director fees	73,273	73,218
- ISHR funding	69,988	67,426
- Central council wages	6,518	3,501
- UDS	42,240	-
- National conference	-	35,428
Tasmanian District		
- UDS	2,640	-
- National conference	-	4,710

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

23 Related parties (Continued)

	2022	2021
	\$	\$
Victorian District		
- Central council wages	6,370	3,927
- UDS	10,560	-
- National conference	-	15,105
Western Australia District		
- Central council wages	3,661	2,801
- UDS	13,200	-
- National conference	-	25,673
CFMMEU - Manufacturing Division		
- Media support service	-	50,000
Australian Workers' Union Western Australia Branch		
- Wages Contribution	73,038	24,000
- Membership Support services	35,449	21,013
- Website costs	-	4,349
CFMEU Construction QLD Branch		
- Insurance	-	8,421

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

23 Related parties (Continued)

(ii) Revenue:

	2022	2021
	\$	\$
Northern Mining and NSW Energy District		
- Campaign and special administration fees	412,936	913,287
- Reimbursements	405	69,770
- Employee Benefits	49,987	22,717
Queensland District		
- Campaign and special administration fees	438,355	812,425
- Reimbursements	-	45,214
- Organising service fees	291,667	-
South Western District		
- Campaign and special administration fees	164,318	357,708
- Legal assistant fees	70,072	98,642
- National Convention reimbursement	-	3,200
Tasmanian District		
- Campaign and special administration fees	4,993	10,843
- Reimbursements	9,681	15,085
Victorian District		
- Campaign and special administration fees	43,831	99,240
Western Australia District		
- Campaign and special administration fees	56,515	106,074
- Reimbursements	-	5,600
Australian Workers Union Western Australia Branch		
- Reimbursements	72,392	29,216
CFMMEU - Manufacturing Division	-	-
- Rental income	-	77,410

Receivables and payables with related parties are disclosed in notes 7 and 12 respectively. Other transactions with related parties are shown within their respective notes.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

24 Cash flow information

(a) Reconciliation of result for the year to cashflows from operating activities

	2022	2021
	\$	\$
Result for the year	25,097,104	10,568,480
Cash flows excluded from profit attributable to operating activities		
Non-cash flows in profit:		
- depreciation/amortisation	856,972	830,554
- gain on investment in associate	(6,114,223)	(8,344,379)
- net capital fund reserve movement	1,729,759	699,524
- loss on sale of assets/intangibles	50,271	50,090
- net gain/(loss) on disposal of property, plant and equipment	-	(1,792,259)
Changes in assets and liabilities:		
- decrease in trade and other receivables	(349,284)	(283,220)
- (increase)/decrease in prepayments	(462,416)	(230,856)
- increase/(decrease) in trade and other payables	(301,070)	(104,911)
- increase/(decrease) in employee benefits	(393,655)	258,466
Cashflow from operations	<u>20,113,458</u>	<u>1,651,489</u>

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

24 Cash flow information (Continued)

(b) Cash flow information - other reporting units

	2022	2021
	\$	\$
Cash inflows		
Northern Mining and NSW Energy District	3,623,067	3,907,508
Queensland District	3,125,077	3,255,748
South Western District	1,545,896	1,429,809
Western Australian District	349,035	219,184
Victorian District	254,646	287,902
AWU Western Australian Branch	588,026	469,015
Tasmanian District	41,837	23,088
CFMMEU Manufacturing Division	-	77,410
	9,527,584	9,669,664
Cash outflows		
South Western District	(291,616)	(131,831)
Queensland District	(275,419)	(168,430)
Northern Mining and NSW Energy District	(788,195)	(357,624)
Victorian District	(783,001)	(21,133)
Western Australian District	(19,036)	(30,092)
AWU Western Australian District	(109,707)	(49,362)
Tasmanian District	(2,904)	(4,710)
CFMMEU C&G Queensland	-	(8,421)
CFMMEU National Office	(249,278)	(249,278)
CFMMEU Manufacturing Division	-	(55,000)
	(2,519,156)	(1,075,881)

In the current year, the parent entity was entitled to receive a trust distribution of \$NIL (2021: \$1,862,058) from a subsidiary, the National Assistance Fund, which has been eliminated on consolidation for the purposes of this financial report.

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

25 Events after the end of the Reporting Period

No matters or circumstances have arisen since the end of the financial year which significantly affected or could significantly affect the operations of the Group, the results of those operations, or the state of affairs of the Group in future financial years.

26 Parent entity

The following information has been extracted from the books and records of the parent, Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division and has been prepared in accordance with Australian Accounting Standards.

The financial information for the parent entity, Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division has been prepared on the same basis as the consolidated financial statements except as disclosed below.

	2022	2021
	\$	\$
Balance Sheet		
Assets		
Current assets	22,666,241	17,866,911
Non-current assets	59,435,859	39,198,577
Total Assets	<u>82,102,100</u>	<u>57,065,488</u>
Liabilities		
Current liabilities	3,780,290	4,382,283
Total Liabilities	<u>3,780,290</u>	<u>4,382,283</u>
Equity		
Retained earnings	78,321,810	52,683,205
Total Equity	<u>78,321,810</u>	<u>52,683,205</u>
Consolidated Statement of Profit or Loss and Other Comprehensive Income		
Total profit or loss for the year	25,638,606	10,549,578
Total comprehensive income	<u>25,638,606</u>	<u>10,549,578</u>

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Notes to the Financial Statements For the Year Ended 31 December 2022

27 Additional disclosures required under the Fair Work (Registered Organisations) Act 2009

As required under the reporting guidelines provided for under section 255 of the *Fair Work Act (Registered Organisations) Act 2009*, it is confirmed that:

1. The Union has agreed to provide financial support as necessary to the Construction, Forestry, Maritime, Mining and Energy Union (CFMMEU) National Office. The support will be in proportion to the Division's membership of the CFMMEU in accordance with the National Rule 23(i).

28 Section 272 Fair Work (registered Organisations) Act 2009

In accordance with the requirements of the *Fair Work (Registered Organisations) Act 2009*, the attention of the members is drawn to the provisions of Sub-sections (1) to (3) of Section 272, which reads as follows:

Information to be provided to members or the General Manager:

1. A member of a reporting unit, or the General Manager, may apply to the reporting unit for specified prescribed information in relation to the reporting unit to be made available to the person making the application.
2. The application must be in writing and must specify the period within which, and the manner in which, the information is to be made available. The period must not be less than 14 days after the application is given to the reporting unit.
3. A reporting unit must comply with an application made under subsection (1).

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Report required under subsection 255(2A)

For the Year Ended 31 December 2022

The Committee of Management presents the expenditure report as required under subsection 255(2A) on the Reporting Unit for the year ended 31 December 2022.

Categories of expenditure	2022 \$	2021 \$
Remuneration and other employment-related costs and expenses - employees	6,854,298	5,908,278
Advertising	218,395	193,591
Operating costs	5,378,817	3,047,420
Donations to political parties	585,982	-
Legal costs	653,072	927,785



Grahame Kelly
General Secretary

Dated: 21 March 2023

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Officer Declaration Statement

I, Grahame Kelly, being the General Secretary of the Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division (the Reporting Unit), declare that the following activities did not occur during the reporting period ending 31 December 2022 or the comparative.

The Reporting Unit did not:

- agree to receive financial support from another reporting unit to continue as a going concern (refers to agreement regarding financial support not dollar amount)
- ~~agree to provide financial support to another reporting unit to ensure they continue as a going concern (refers to agreement regarding financial support not dollar amount)~~
- acquire an asset or liability due to an amalgamation under Part 2 of Chapter 3 of the RO Act, a restructure of the branches of an organisation, a determination or revocation by the General Manager, Fair Work Commission
- receive periodic or membership subscriptions
- ~~receive capitation fees from another reporting unit~~
- ~~receive any other revenue amount from another reporting unit~~
- receive revenue via compulsory levies
- receive donations
- ~~receive grants~~
- receive revenue from undertaking recovery of wages activity
- incur fees as consideration for employers making payroll deductions of membership subscriptions
- ~~pay capitation fees to another reporting unit~~
- ~~pay any other expense to another reporting unit~~
- ~~pay affiliation fees to other entity~~
- pay compulsory levies
- pay a grant that was \$1,000 or less
- pay a grant that exceeded \$1,000
- ~~pay a donation that was \$1,000 or less~~
- ~~pay a donation that exceeded \$1,000~~
- ~~pay wages and salaries to holders of office~~
- ~~pay superannuation to holders of office~~
- ~~pay leave and other entitlements to holders of office~~
- ~~pay separation and redundancy to holders of office~~
- ~~pay other employee expenses to holders of office~~
- ~~pay wages and salaries to employees (other than holders of office)~~
- ~~pay superannuation to employees (other than holders of office)~~
- ~~pay leave and other entitlements to employees (other than holders of office)~~
- ~~pay separation and redundancy to employees (other than holders of office)~~
- ~~pay other employee expenses to employees (other than holders of office)~~
- ~~pay to a person fees or allowances to attend conferences or meetings as a representative of the reporting unit~~
- ~~incur expenses due to holding a meeting as required under the rules of the organisation~~
- ~~pay legal costs relating to litigation~~
- ~~pay legal costs relating to other legal matters~~

Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

ABN: 18 128 983 744

Officer Declaration Statement

- pay a penalty imposed under the RO Act or the Fair Work Act 2009
- ~~have a receivable with other reporting unit(s)~~
- ~~have a payable with other reporting unit(s)~~
- have a payable to an employer for that employer making payroll deductions of membership subscriptions
- ~~have a payable in respect of legal costs relating to litigation~~
- ~~have a payable in respect of legal costs relating to other legal matters~~
- ~~have an annual leave provision in respect of holders of office~~
- ~~have a long service leave provision in respect of holders of office~~
- ~~have a separation and redundancy provision in respect of holders of office~~
- ~~have other employee provisions in respect of holders of office~~
- ~~have a annual leave provision in respect of employees (other than holders of office)~~
- ~~have a long service leave provision in respect of employees (other than holders of office)~~
- have a separation and redundancy provision in respect of employees (other than holders of office)
- ~~have other employee provisions in respect of employees (other than holders of office)~~
- have a fund or account for compulsory levies, voluntary contributions or required by the rules of the organisation or branch
- ~~transfer to or withdraw from a fund (other than the general fund), account, asset or controlled entity~~
- ~~have a balance within the general fund~~
- ~~provide cash flows to another reporting unit and/or controlled entity~~
- ~~receive cash flows from another reporting units and/or controlled entity~~
- have another entity administer the financial affairs of the reporting unit
- make a payment to a former related party of the reporting unit


.....
Grahame Kelly
General Secretary

Dated: 21 March 2023

Independent Audit Report

to the members of Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

Report on the Audit of the Financial Report

Opinion

We have audited the financial report of Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division (the Union and its subsidiaries (the Group or Reporting Unit)), which comprises the consolidated balance sheet as at 31 December 2022, the consolidated statement of comprehensive income, consolidated statement of changes in equity and consolidated statement of cash flows for the year ended 31 December 2022, notes to the financial statements, including a summary of significant accounting policies, the Committee of Management statement, the subsection 255(2A) report and the Officer Declaration Statement.

In our opinion, the accompanying financial report presents fairly, in all material aspects, the financial position of the Reporting Unit as at 31 December 2022, and their financial performance and their cash flows for the year ended on that date in accordance with:

- a) the Australian Accounting Standards; and
- b) any other requirements imposed by the reporting guidelines or Part 3 of Chapter 8 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

We declare that management's use of the going concern basis in the preparation of the financial statements of the reporting unit is appropriate.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the reporting unit in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* ("the Code") that are relevant to our audit of the financial report in Australia. We have also fulfilled my other ethical responsibilities in accordance with the Code.

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Scheme approved under
Professional Standards
Legislation



Independent Audit Report

to the members of Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Information Other than the Financial Report and Auditor's Report Thereon

The Committee of Management is responsible for the other information. The other information obtained at the date of this auditor's report is in the Operating Report accompanying the financial report.

Our opinion on the financial report does not cover the other information and accordingly we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial report, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or our knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Responsibilities of Committee of Management for the Financial Report

The Committee of Management of the reporting unit is responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards and the RO Act, and for such internal control as the Committee of Management determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Committee of Management is responsible for assessing the reporting unit's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Committee of Management either intend to liquidate the reporting unit or to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Report

Our objective is to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report.



Independent Audit Report

to the members of Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the reporting unit's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the committee of management.
- Conclude on the appropriateness of the committee of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the reporting unit's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the reporting unit to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the reporting unit to express an opinion on the financial report. We are responsible for the direction, supervision and performance of the reporting unit audit. We remain solely responsible for our audit opinion.



Independent Audit Report

to the members of Construction Forestry Maritime Mining and Energy Union - Mining and Energy Division

We communicate with the Committee of Management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

I declare that I am an auditor registered under the RO Act.

Daley Audit
Daley Audit

Michael Mundt
Michael Mundt
Partner

Wollongong

Dated: 21 March 2023

Registration number (as registered under the RO Act): AA 2017/67

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